GOVERNMENT OF INDIA.
LEGISLATIVE DEPARTMENT.

ACT XXV OF 1867 (PRINTING-PRESSES AND BOOKS),

AS MODIFIED UP TO THE 1ST JULY, 1890.

CALCUTTA
OFFICE OF THE SUPERINTENDENT OF GOVERNMENT PRINTING, INDIA.
1890.

Price Five Annas.

XIV
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CALCUTTA :
GOVERNMENT OF INDIA CENTRAL PRINTING OFFICE,
8, HASTINGS STREET.

Act XXV of 1867 has been repealed in part by Act XIV of 1870 and repealed in part and amended by Act X of 1890.

Act XXV of 1867 was declared, by Act XV of 1874, s. 3, to be in force in the whole of British India, except as regards the scheduled districts. The Act has been applied, by notification under the Scheduled Districts Act, 1874, to the following scheduled districts, viz.:—

Province.	Scheduled Districts.	Whether declared in force or extended.	Year, Part and page of Gazette of India in which the notification is published.
BOMBAY	The Province of Sindh	Declared in force	1880, Part I, p. 672.
	Aden	Ditto	1879, Part I, p. 434.
	The Territory of Peint	Ditto	1887, Part I, p. 144.
	The Island of Perim	Ditto	1887, Part I, p. 5.
BENGAL	That portion of the Jalpaiguri District which was formerly the Jalpaiguri Sub-division and now forms the western portion of the District of Jalpaiguri and extends as far east as the Teesta River.	Ditto	1881, Part I, p. 74.
	The hills west of the Teesta River in the District of Darjeeling.		
	The Darjeeling Tarai.		
	The Dumson Sub-division of the Darjeeling District.		
	The Districts of Hazaribagh, Lohardugga and Manbhoom, and Pergunnah Dhalbhoom and the Kolhan in the District of Singhbhoom.	Ditto	1881, Part I, p. 504.
N.-W. PROVINCES	The Jhansi Division	Ditto	1878, Part I, p. 546.
	The Districts of Kumaon and Garhwal.	Ditto	1876, Part I, p. 605.
	The Tarai District	Extended	1876, Part I, p. 506.
	The scheduled portion of the Mirzapur District.	Declared in force	1879, Part I, p. 383.
	The Pergunnah Jaunsar Bawar in the Dehra-Dun District.	Ditto	1879, Part I, p. 382.
PUNJAB	The Districts of Hazara, Peshawar, Kohat, Bannu, Dera Ismail Khan, and Dera Ghazi Khan.	Ditto	1886, Part I, p. 48.
ASSAM	The Districts of Kamrup, Nowgong, Darrang, Sibsagar, Lakhimpur, Goalpara (excluding the Eastern Doars) and Cachar (excluding the North Cachar Hills).	Ditto	1878, Part I, p. 533.
	The District of Sylhet	Ditto	1879, Part I, p. 631.

The

The Act has been declared, by notification under the Scheduled Districts Act, 1874, not to be in force in the scheduled district of Lahaul in the Punjab—see Gazette of India, 1886, Part I, p. 301.

The Act has been declared in force in the Sonthal Pergunnahs—see Regulation III of 1872, s. 3, as amended by Regulation III of 1886, in Bengal Code, Ed. 1889, Vol. I, p. 597; and in Upper Burma (except the Shan States)—see Act XX of 1886, s. 6, in Burma Code, Ed. 1889, p. 364.

The following changes have been made in reprinting the Act:—

(1) repealed matter has been omitted, explanatory notes being inserted:

(2) amendments have been inserted in their proper places, with explanatory footnotes:

(3) lengthy sections have sometimes been divided into clauses and paragraphs:

(4) the marginal notes have been revised:

(5) the headings to the pages have been amplified:

(6) some footnotes have been inserted for convenience of reference:

(7) a table of contents has been added.

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ACT No. XXV OF 1867.

PASSED BY THE GOVERNOR GENERAL OF INDIA IN COUNCIL.

(Received the assent of the Governor General on the 22nd March, 1867.)

An Act for the regulation of Printing-presses and Newspapers, for the preservation of copies of books printed in British India, and for the registration of such books.

[As modified up to the 1st July, 1890.]

Preamble.

WHEREAS it is expedient to provide for the regulation of printing-presses and of periodicals containing news, for the preservation of[a] copies of every book printed or lithographed in British India, and for the registration of such books; It is hereby enacted as follows:—

PART I.

PRELIMINARY.

Interpretation-clause.

1. In this Act, unless there shall be something repugnant in the subject or context,—

"Book."

"book" includes every volume, part or division of a volume, and pamphlet, in any language, and every sheet of music, map, chart or plan separately printed or lithographed:

"British India."

"British India" means the territories which are or shall be vested in Her Majesty or Her Successors by the Statute 21 & 22 Vict., cap. 106[b] (*An Act for the better government of India*), other than the Settlement

[a] The word "three" in the preamble, which was repealed by Act X of 1890, s. 1, has been omitted.

[b] Printed in the "Collection of Statutes relating to India," Ed. 1881, Vol II, p. 651.

ment of Prince of Wales' Island, Singapore and Malacca:

"Magistrate." "Magistrate" means any person exercising the full powers of a Magistrate[a], and includes a Magistrate[b] of Police[c]:

Number. words in the singular include the plural, and *vice versâ*:

Gender. words denoting the masculine gender includ females:

"Local Government." And in every part of British India to which Act shall extend[d], "Local Government" shall the person authorized by law to administer e government in such part, and includes a Ch missioner.

2. [*Repeal of Act XI of 1835.*] *Repealed XIV of 1870.*

PART II.

Of Printing-presses and Newspapers.

Particulars to be printed on books and papers. 3. Every book or paper printed within Britis India shall have printed legibly on it the name o the printer and the place of printing, and (if the book or paper be published) of the publisher, and the place of publication.

Keeper of printing-press to make declaration. 4. No person shall, within British India, keep in his possession any press for the printing of books or papers, who shall not have made and subscribed the following declaration before the Magistrate within whose local jurisdiction such press may be:

"I, *A. B.*, declare that I have a press for printing at———."

And

[a] Now Magistrate of the 1st class—see Act X of 1882, s. 3.

[b] Now Presidency Magistrate—see Act X of 1882, s. 3.

[c] Certain words in the definition of "Magistrate" in s. 1, which were repealed by Act X of 1890, s. 2, have been omitted.

[d] As to the places in British India in which Act XXV of 1867 is in force, see the notes on pp. iii, iv, *supra*.

And this last blank shall be filled up with a true and precise description of the place where such press may be situate.

Rules as to publication of printed periodicals containing public news.

5. No printed periodical work, containing public news or comments on public news, shall be published in British India, except in conformity with the rules hereinafter laid down:

(1) The printer and the publisher of every such periodical work shall appear before the Magistrate within whose local jurisdiction such work shall be published, and shall make and subscribe, in duplicate, the following declaration:

"I, *A. B.*, declare that I am the printer [*or* publisher, *or* printer and publisher] of the periodical work entitled——and printed [*or* published, *or* printed and published, *as the case may be*] at——."

And the last blank in this form of declaration shall be filled up with a true and precise account of the premises where the printing or publication is conducted:

(2) As often as the place of printing or publication is changed, a new declaration shall be necessary:

(3) As often as the printer or the publisher who shall have made such declaration as is aforesaid shall leave British India, a new declaration from a printer or publisher resident within the said territories shall be necessary.

Authentication of declaration.

6. Each of the two originals of every declaration so made and subscribed as is aforesaid, shall be authenticated by the signature and official seal of the Magistrate before whom the said declaration shall have been made.

Deposit.

One of the said originals shall be deposited among the records of the office of the Magistrate, and the other shall be deposited among the records of the High

High Court of Judicature, or [a]other principal Civil Court of original jurisdiction for the place where[a] the said declaration shall have been made.

Inspection and supply of copies.

The officer in charge of each original sha[ll] any person to inspect that original on paym[ent] fee of one rupee, and shall give to any person a[pplying] a copy of the said declaration, attested by the [seal] the Court which has the custody of the origin[al] payment of a fee of two rupees.

Office copy of declaration to be *primâ facie* evidence.

7. In any legal proceeding whatever, as well as criminal, the production of a copy of such dec[laration] as is aforesaid, attested by the seal of some C[ourt] empowered by this Act to have the custody of s[uch] declarations, shall be held (unless the contrary is proved) to be sufficient evidence, as against the per[son] whose name shall be subscribed to such declarati[on] that the said person was printer or publisher, or prin[ter] and publisher (according as the words of the said [de]claration may be) of every portion of every periodi[cal] work whereof the title shall correspond with the ti[tle] of the periodical work mentioned in the declaration.

New declaration by persons who have signed declaration and subsequently ceased to be printers or publishers.

8. Provided always that any person who may have subscribed any such declaration as is aforesaid, and who may subsequently cease to be the printer or publisher of the periodical work mentioned in such declaration, may appear before any Magistrate, and make and subscribe in duplicate the following declaration :—

"I, *A. B.*, declare that I have ceased to be the printer [*or* publisher, *or* printer and publisher] of the periodical work entitled——."

Authentication and filing.

Each original of the latter declaration shall be authenticated by the signature and seal of the Magistrate before whom the said latter declaration shall have been made, and one original of the said latter declaration

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[a-a] These words in s. 6 were substituted for the original words by Act X of 1890, s. 3.

declaration shall be filed along with each original of the former declaration.

Inspection and supply of copies.

The officer in charge of each original of the latter declaration shall allow any person applying to inspect that original on payment of a fee of one rupee, and shall give to any person applying a copy of the said latter declaration, attested by the seal of the Court having custody of the original, on payment of a fee of two rupees.

Putting copy in evidence.

In all trials in which a copy, attested as is aforesaid, of the former declaration shall have been put in evidence, it shall be lawful to put in evidence a copy, attested as is aforesaid, of the latter declaration, and the former declaration shall not be taken to be evidence that the declarant was, at any period subsequent to the date of the latter declaration, printer or publisher of the periodical work therein mentioned.

PART III[a].

Delivery of Books.

Copies of books printed after commencement of Act to be delivered gratis to Government.

9. Printed or lithographed copies of the whole of ...ry book which shall be printed or lithographed in ...itish India after this Act shall come into force, ...gether with all maps, prints or other engravings ...longing thereto, finished and coloured in the same ...anner as the best copies of the same, shall, notwithstanding any agreement (if the book be published) between the printer and publisher thereof, be delivered by the printer at such place and to such officer as the Local Government shall, by notification in the official Gazette, from time to time direct, and free of expense to the Government, as follows, that is to say:—

(*a*) in any case, within one calendar month after the day on which any such book shall first be delivered out of the press, one such copy, and,

(*b*) if

[a] This Part was substituted for the original Part III by Act X of 1890, s. 4.

(*b*) if within one calendar year from such day the Local Government shall require the printer to deliver other such copies not exceeding two in number, then within one calendar month after the day on which any such requisition shall be made by the Local Government on the printer, another such copy, or two other such copies, as the Local Government may direct,

the copies so delivered being bound, sewed or stitched together and upon the best paper on which any copies of the book shall be printed or lithographed.

The publisher or other person employing the printer shall, at a reasonable time before the expiration of the said month, supply him with all maps, prints and engravings finished and coloured as aforesaid, which may be necessary to enable him to comply with the requirements aforesaid.

Nothing in the former part of this section shall apply to—

(*i*) any second or subsequent edition of a book which edition no additions or alterations either in the letter-press or in the maps prints or other engravings belonging to the book have been made, and a copy of the first or some preceding edition of which book has been delivered under this Act, or

(*ii*) any periodical work published in conformity with the rules laid down in section 5 of this Act.

Receipt for copies delivered under section 9.

10. The officer to whom a copy of a book is delivered under the last foregoing section shall give to the printer a receipt in writing therefor.

Disposal of copies delivered under section 9.

11. The copy delivered pursuant to clause (*a*) of the first paragraph of section 9 of this Act shall be disposed of as the Local Government shall from time to time determine. Any copy or copies delivered pursuant to clause (*b*) of the said paragraph shall be transmitted

transmitted to the British Museum or the Secretary of State for India, or to the British Museum and the said Secretary of State, as the case may be.

PART IV.

PENALTIES.

Penalty for printing contrary to rule in section 3.

12. Whoever shall print or publish any book or paper otherwise than in conformity with the rule contained in section 3 of this Act shall, on conviction before a Magistrate, be punished by fine not exceeding five thousand rupees, or by simple imprisonment for a term not exceeding two years, or by both.

Penalty for keeping press without making declaration required by section 4.

13. Whoever shall keep in his possession any such press as aforesaid, without making such a declaration as is required by section 4 of this Act, shall, on conviction before a Magistrate, be punished by fine not exceeding five thousand rupees, or by simple imprisonment for a term not exceeding two years, or by both.

Punishment for making false statement.

14. Any person who shall, in making any declaration under the authority of this Act, make a statement which is false, and which he either knows or believes to be false, or does not believe to be true, shall, on conviction before a Magistrate, be punished by fine not exceeding five thousand rupees, and imprisonment for a term not exceeding two years.

Penalty for printing or publishing periodicals without conforming to rules.

15. Whoever shall print or publish any such periodical work as is hereinbefore described, without conforming to the rules hereinbefore laid down, or whoever shall print or publish, or shall cause to be printed or published, any such periodical work, knowing that the said rules have not been observed with respect to that work, shall, on conviction before a Magistrate, be punished with fine not exceeding five thousand rupees, or imprisonment for a term not exceeding two years, or both.

Penalty for not deliver-

[a]**16.** If any printer of any such book as is referred to

[a] This section was substituted for the original s. 16 by Act X of 1890, s. 5.

ing books or not supplying printer with maps.

to in section 9 of this Act shall neglect to deliver copies of the same pursuant to that section, he shall for every such default forfeit to the Government such sum not exceeding fifty rupees as a Magistrate having jurisdiction in the place where the book was printed may, on the application of the officer to whom the copies should have been delivered or of any person authorised by that officer in this behalf, determine to be in the circumstances a reasonable penalty for the default, and, in addition to such sum, such further sum as the Magistrate may determine to be the value of the copies which the printer ought to have delivered.

If any publisher or other person employing any such printer shall neglect to supply him, in the manner prescribed in the second paragraph of section 9 of this Act, with the maps, prints or engravings which may be necessary to enable him to comply with the provisions of that section, such publisher or other person shall for every such default forfeit to the Government such sum not exceeding fifty rupees as such a Magistrate as aforesaid may, on such an application as aforesaid, determine to be in the circumstances a reasonable penalty for the default, and, in addition to such sum, such further sum as the Magistrate may determine to be the value of the maps, prints or engravings which such publisher or other person ought to have supplied.

Recovery of forfeitures and disposal thereof and of fines.

[a]17. Any sum forfeited to the Government under the last foregoing section may be recovered, under the warrant of the Magistrate determining the sum, or of his successor in office, in the manner authorised by the Code of Criminal Procedure[b] for the time being in force, and within the period prescribed by the Indian Penal Code[c], for the levy of a fine.

X of 1882.

XLV of 186

All

[a] This section was substituted for the original s. 17 by Act X of 1890, s. 5.

[b] See the revised edition of the Code of Criminal Procedure, as modified up to the 15th December, 1888, published by the Legislative Department.

[c] See the revised edition of the Indian Penal Code published by the Legislative Department in 1890.

All fines or forfeitures under this Part of this Act shall, when recovered, be disposed of as the Local Government shall from time to time direct.

PART V.

Registration of Books.

Registration of memoranda of books.

18. There shall be kept at such office, and by such officer as the Local Government shall appoint in this behalf, a book to be called a Catalogue of Books printed in British India, wherein shall be registered a memorandum of every book which shall have been delivered [a]pursuant to clause (*a*) of the first paragraph of section 9[a] of this Act. Such memorandum shall (so far as may be practicable) contain the following particulars (that is to say) :—

(1) the title of the book and the contents of the title-page, with a translation into English of such title and contents, when the same are not in the English language:

(2) the language in which the book is written:

(3) the name of the author, translator or editor of the book or any part thereof:

(4) the subject:

(5) the place of printing and the place of publication:

(6) the name or firm of the printer and the name or firm of the publisher:

(7) the date of issue from the press or of the publication:

(8) the number of sheets, leaves or pages:

(9) the size:

(10) the first, second or other number of the edition:

(11) the number of copies of which the edition consists:

(12) whether

[a] These words, &c., in s. 18 were substituted for the original words by Act X of 1890, s. 6.

(12) whether the book is printed or lithographed :

(13) the price at which the book is sold to the public : and

(14) the name and residence of the proprietor of the copyright or of any portion of such copyright.

Such memorandum shall be made and registered in the case of each book as soon as practicable after the delivery of the [a]copy thereof pursuant to clause (*a*) of the first paragraph of section 9[a].

Effect of registration.

Every registration under this section shall, upon payment of the sum of two rupees to the officer keeping the said Catalogue, be deemed to be an entry in the Book of Registry kept under Act No. XX of 1847[b] (*for the encouragement of learning in the territories subject to the government of the East India Company, by defining and providing for the enforcement of the right called copyright therein*) ; and the provisions contained in that Act as to the said Book of Registry shall apply, *mutatis mutandis*, to the said Catalogue.

Act XX of 1847 applied.

Publication of memoranda registered.

19. The memoranda registered during each quarter in the said Catalogue shall be published in the local Gazette as soon as may be after the end of such quarter, and a copy of the memoranda so published shall be sent to the said Secretary of State, and to the Secretary to the Government of India in the Home Department, respectively.

PART VI.

MISCELLANEOUS.

Power to make rules.

20. The Local Government shall have power to make such rules as may be necessary or desirable for carrying

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[a-a] These words, &c., in s. 18 were substituted for the original words by Act X of 1890, s. 6.

[b] Printed, General Acts, 1834—66, Ed. 1887, p. 48.

carrying out the objects of this Act, and from time to time to repeal, alter and add to such rules.

All such rules, and all repeals and alterations thereof, and additions thereto, shall be published in the local Gazette. Publication.

21. The Governor General of India in Council may, by notification in the Gazette of India, exclude any class of books from the operation of the whole or any part or parts of this Act. Power to exclude any class of books from operation of Act.

22. [*Continuance of parts of Act.*] *Repealed by Act X of 1890, s. 7.*

23. [*Commencement.*] *Repealed by Act XIV of 1870.*

Govt. of India Central Printing Office.—No. 155 L. D.—9-7-90.—4,500.—Jos. D'C.